

1 **CODE: 3980**

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7 Attorney for Plaintiffs BrandStorm, Inc.

8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF NEVADA

11 BRANDSTORM, INC., a California
12 Corporation

13 Plaintiffs,

14 vs.

15 GLOBAL STERILIZATION AND
16 FUMIGATION, INC., a Nevada
17 Corporation, BRYAN GARDNER, an
18 individual, and DOES 1-10, Inclusive,

19 Defendants.

Case No.: 3:19-CV-00315-MMD-CLB

20 **STATUS REPORT AND STIPULATION FOR ORDER TO EXTEND DISCOVERY**

21 **DEADLINES**

22 Plaintiff, BRANDSTORM ("BrandStorm"), by and through its counsel, J. Craig
23 Demetras of Demetras Law, and Defendant GLOBAL STERILIZATION AND
24 FUMIGATION, INC. ("Global"), by and through its counsel, Stephen Castronova of
25 Castronova Law Offices, hereby stipulate and agree to stay the Discovery deadlines in this case
26 pending resolution of the lawsuit pending before Judge Hicks, *Global Insurance and*
27 *Fumigation, Inc. et al v. Admiral Insurance Company*, District of Nevada Case Number 3:20-
28

1 cv-00444-LRH-WGC, a liability insurance coverage dispute. In support of the Stipulation, the
2 parties represent as follows:

- 3 1. In this action, Brandstorm has filed suit against Global and Mr. Gardner seeking to
4 recover for damages to a food product that Brandstorm had hired Global to process.
- 5 2. Brandstorm made a claim under made a claim under Global's general liability policy,
6 Admiral Insurance Company, wherein Global sought both a defense and indemnity
7 from the suit for itself and Mr. Gardner.
- 8 3. Based upon Admiral's refusal to provide a defense or indemnity for Global in this
9 action, Global filed a lawsuit which is currently pending before Judge Hicks, *Global*
10 *Sterilization and Fumigation, Inc. et al v. Admiral Insurance Company*, District of
11 Nevada Case Number 3:20-cv-00444-LRH-WGC.
- 12 4. In this action, pursuant to a stipulation filed by the parties, the court has set a date of
13 February 28, 2022 for the filing of a Pre-Trial Order. Due to the pending motions for
14 summary judgment in the ongoing Insurance Action, it is unclear if the Defendant's
15 insurance company will provide a defense and/or settlement funds for the Defendant in
16 this case.
- 17 5. Admiral Insurance Company filed a Motion for Summary Judgment in the insurance
18 action on July 7, 2021 and Global filed its Opposition To Motion for Summary
19 Judgment on July 28, 2021. Admiral filed its Reply on August 11, 2012.
- 20 6. Global filed its Motion for Partial Summary Judgment on September 30, 2021.
21 Admiral filed its Response on October, 19, 2021. Global filed its Reply on November
22 2, 2021
- 23 7. The District Court's resolution of the issues presented in the Motions for Summary
24 Judgment in the Insurance Litigation will have a substantial effect on this action going
25 forward.
- 26 8. No trial dates have been set for either action.
- 27
- 28

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2 9. The parties believe it is necessary to resolve the pending matters in the Insurance
3 Action to allow the parties in this Action to plan for completion of discovery, to work
4 on settlement negotiations, and to allow all parties to avoid continuing and unnecessary
5 litigation costs.

6 Based upon the foregoing, the parties hereby agree to stay discovery and all other
7 deadlines, including but not limited to, completion of fact discovery, the filing of any
8 dispositive motions, and the filing of the joint pretrial pending the Court's resolution of the
9 Motions for Summary Judgment in the Insurance Action.

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12 **AFFIRMATION PURSUANT TO NRS 239B.030**

13 The undersigned does hereby affirm that this document does not contain the
14 social security number of any person.
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16 **IT IS SO STIPULATED.**

17 Dated: March 22, 2022

Dated: March 22, 2022

18 **DEMETRAS LAW**

CASTRONOVA LAW OFFICES

19
20 By: /s/ J. Craig Demetras
21 J. CRAIG DEMETRAS
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By: /s/ Stephen Castronova
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Attorneys for Defendants

ORDER

Upon consideration of the Parties Joint Stipulation to Extend Discovery Deadlines,

IT IS HEREBY ORDERED that Discovery and all other deadlines in this matter are hereby stayed until resolution of the Insurance Action.

IT IS SO GRANTED.

Dated: March 24, 2022.



DISTRICT COURT JUDGE

Respectfully Submitted By:
DEMETRAS LAW

By: /s/ J. Craig Demetras
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Attorney for Plaintiffs